

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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XAND CORPORATION,

Case# 08-Civ. 0513(SCR)

Plaintiff,

Judge Robinson

-Against-

**NOTICE OF MOTION**

STRATEGIC ENERGY, LLC

Defendant.

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**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law of July 10, 2008, the Affidavit of Lee S. Weinstein sworn July 10, 2008 with Exhibits annexed, and all prior pleadings and proceedings herein, plaintiff, Xand Corporation, ("Xand and/or Plaintiff") by its attorney Arthur Morrison, will move this Court, before the Honorable Stephen C. Robinson, United States District Judge, at the United States Courthouse, located at 300 Quarropas Street, White Plains, New York 10601, for an order Remanding this case back to the Supreme Court, Westchester County for further proceedings and for such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the individual practices of the Honorable Stephen C. Robinson, Response to this motion was given as August 8, 2008 and Reply for August 18, 2008.

Dated: Hawthorne, New York  
July 10, 2008

/s/ Arthur Morrison (Bar Code AM5678)

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